



PUBLIC NOTICE

Federal Communications Commission
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DA 10-1462

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**WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUEST BY
OCEAN SIGNAL LTD. FOR WAIVER TO ALLOW CERTIFICATION AND USE OF A DUAL
BAND MARINE RADAR TARGET ENHANCER**

WT Docket No. 10-160

Comment Date: September 8, 2010

Reply Date: September 23, 2010

On June 21, 2010, Ocean Signal Ltd. (Ocean Signal), on behalf of Aquamate Products Ltd., filed a request for waiver of Section 80.375(d) of the Commission's Rules¹ to permit equipment certification and use of its dual band, S-band (2.9-3.1 GHz) and X-band (9.3-9.5 GHz), Radar Target Enhancer (RTE). A RTE is used on small vessels to increase their detection and visibility to radar by receiving a radar signal from a passing vessel, amplifying the signal, and re-transmitting a stronger return signal. Ocean Signal also requests the use of ISO 8729-2² as the test standard for its dual band active RTEs, or waiver of the requirement in ITU-R M.1176³ for a minimum gain of 50 dB for the device.

SOLAS regulations state that, if practicable, ships of less than 150 tons shall have "a radar reflector, or other means, to enable detection by ships navigating by radar at both 9 and 3 GHz".⁴ Performance standards for radar reflectors used in both S and X bands have been issued by the International Maritime Organization (IMO) in Resolution MSC.164(78),⁵ and by the International Organization for Standardization (ISO) in ISO 8729-2, while the International Telecommunications Union (ITU) in ITU-R M.1176 issued performance standards that allow for operation in one or both bands. Because Section 80.375(d) of the Commission's Rules does not provide for the use or certification of RTEs, Ocean Signal seeks a waiver to permit certification and use of its RTE, which it states meets the international requirements, except the technical standards in ITU-R M.1176. Ocean Signal argues that its device should not be required to meet the ITU-R M.1176 standards, because the required 50 dB gain for S-band will result in a large antenna that is not practical for smaller vessels. Ocean Signal believes its RTE will enhance marine navigation safety by enhancing radar detection and visibility of small vessels.

¹ 47 C.F.R. § 80.375(d).

² ISO 8729-2, "Ships and marine technology – Marine radar reflectors – Part 2: Active type," (May 2009).

³ ITU-R M.1176, "Technical parameters of radar target enhancers" (1995).

⁴ See SOLAS Chapter V Regulation 19.2.1.7.

⁵ IMO Resolution MSC.164(78), "Revised performance standards for Radar Reflectors," adopted May 17, 2004.

Procedural Matters

Comments on the request are due **no later than September 8, 2010**. Reply comments are due **no later than September 23, 2010**. All filings should reference the docket number of this proceeding, WT 10-160.

This proceeding has been designated as a “permit-but-disclose” proceeding in accordance with the Commission's *ex parte* rules.⁶ Parties making oral *ex parte* presentations in this proceeding are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.⁷ More than a one- or two-sentence description of the views and arguments presented is generally required.⁸

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, “get form.” A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, as follows:

-Effective December 28, 2009, all hand-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., S.W., Room TW-A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Envelopes must be disposed of before entering the building. The filing hours at this location are 8:00 a.m. to 7:00 p.m. **PLEASE NOTE:** This is the **ONLY** location where hand-delivered or messenger-delivered paper filings for the Commission's Secretary will be accepted. The Commission's former filing location at 236 Massachusetts Ave., N.E., is permanently closed.

-Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

-U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Parties shall send one copy of their comments and reply comments to Best Copy and Printing, Inc.,

⁶ See 47 C.F.R. §§ 1.1200(a), 1.1206.

⁷ See Commission Emphasizes the Public's Responsibilities in Permit-But-Disclose Proceedings, *Public Notice*, 15 FCC Rcd 19945 (2000).

⁸ See 47 C.F.R. § 1.1206(b)(2). Other rules pertaining to oral and written presentations are also set forth in Section 1.1206(b). See 47 C.F.R. § 1.1206(b).

Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (800) 378-3160, e-mail FCC@BCPIWEB.com.

The request, and comments and reply comments filed in response to this *Public Notice*, will be available for public inspection and copying during business hours in the FCC Reference Information Center, Portals II, 445 12th Street S.W., Room CY-A257, Washington, D.C. 20554, and via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, WT 10-160. They may also be purchased from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (301) 816-0169, e-mail FCC@BCPIWEB.com.

Alternate formats of this *Public Notice* (computer diskette, large print, audio recording, and Braille) are available to persons with disabilities by contacting the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY), or send an e-mail to fcc504@fcc.gov.

For further information, contact Mr. Jim Shaffer of the Wireless Telecommunications Bureau, Mobility Division, at (202) 418-0687, james.shaffer@fcc.gov.

Action by the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

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